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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :

Bernard KLEIN et al. : EXAMINER: EWOLDT G. R.

SERIAL NO.: 10/030,151 : GROUP ART UNIT: 1644

FILED: APRIL 15, 2002 :

FOR: METHOD OF OBTAINING DENDRITIC CELLS, RESULTING
DENDRITIC CELLS AND USES THEREOF FOR CLINICAL PURPOSES

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

This is in response to the requirement for restriction that was made under 35 U.S.C.

§§121 and 371 on February 2, 2005.

The Patent Office has required restriction between the following two groups:

Group I, claims 14-22, drawn to a method of obtaining dendritic cells.

Group II, claims 23-24, drawn to a method of treatment comprising the administration
of dendritic cells.

Applicants hereby elect to prosecute, with traverse, the invention of Group I, claims
14-22, drawn to a method of obtaining dendritic cells.

Applicants' election is made with traverse for the following reasons:

The present application entered the national stage in the U.S. as a 371 application of

PCT/FR00/02173 filed July 28, 2000. This application is therefore subject to the PCT standard of unity of invention in accordance with 37 C.F.R. 1.475.

Under PCT practice, Applicants are entitled to examination of a single inventive concept (unity of invention) as determined by a technical relationship among the groups that involves at least one common or corresponding special technical feature (see Examples 1-24 of Annex B, Part 2 of the PCT Administrative Instructions in Appendix A1 of the MPEP).

Here the special technical feature in claims 14-22 is the use of special process conditions corresponding to the limitations of process steps 1), 2), and 3), which conditions are required to obtain dendritic cells possessing the desired immunological characteristics. This special technical feature is also present in claims 23-24. Thus, unity of invention exists between claims 14-22 and claims 23-24.

For the reasons cited above, Applicants respectfully request that the Restriction Requirement be withdrawn and that examination of all of the subject matter originally claimed be directed.

Respectfully submitted



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